

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No.950 of 2018**

1. Seven Netam, S/o Sonuram Netam, aged about 25 years,
2. Shyamlal Netam, S/o Late Gangaram Netam, aged about 19 years,  
Both Caste Gond, Residents of Village Kurrubhat, Thana Vishrampuri, Tahsil Baderajpur, District Kondagaon, Chhattisgarh

**---- Applicants****versus**

State of Chhattisgarh through the District Magistrate Kondagaon,  
Chhattisgarh

**---- Respondent**

|                      |   |                                     |
|----------------------|---|-------------------------------------|
| For Applicant        | : | Shri Purnendra Khichariya, Advocate |
| For Respondent/State | : | Shri U.K.S. Chandel, Panel Lawyer   |

**Hon'ble Shri Justice Arvind Singh Chandel****Order on Board****10.4.2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the Applicants who have been arrested in connection with Crime No.106 of 2017 registered at Police Station Vishrampuri, District Kondagaon for offence punishable under Sections 294, 506, 436, 427 and 453 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that a report has been lodged by Complainant Smt. Asantin Bai that in the intervening night of 22<sup>nd</sup> and 23<sup>rd</sup> of January, 2017, the present Applicants came to her house and threatened her. When she did not open the door of her house, they went to her field and set her paddy on fire. On the basis of her report, the aforesaid offence has been registered and the Applicants have been arrested on 24.11.2017.

3. Learned Counsel appearing for the Applicants submits that the Applicants are innocent and due to a previous enmity, they have been falsely implicated in the case. There is no eyewitness to the alleged incident. It is further submitted that charge-sheet has already been filed. The Applicants are in jail since 24.11.2017. Trial will take a long time. Therefore, they may be released on bail.
4. Learned Counsel appearing for the State opposes the bail application.
5. I have heard Learned Counsel appearing for the parties and perused the entire case diary with due care.
6. Taking into consideration the facts and circumstances of the case and that the charge-sheet has already been filed, the Applicants are in custody since 24.11.2017, trial is likely to take time, without further commenting on merits of the case, I am inclined to enlarge the Applicants on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.10,000/- with one solvent surety of the like sum to the satisfaction of the concerned Trial Court for their appearance before the said Court as and when directed.

Sd/-  
**(Arvind Singh Chandel)**  
**JUDGE**